

REMARKS

Claims 1-16 are cancelled and Claims 17-21 are added. New Claims 17-21 remain in the application.

Attached is a copy of Fig. 7 showing proposed changes. Upon reviewing the drawings, Applicants noticed that the draftsman had included in the formal drawing a portion of another device shown in the background of the photograph originally filed. Applicants request the Examiner's approval of a proposed amendment to Fig. 7 to remove the extraneous matter.

No new matter is added by the amendment of the claims and the proposed amendment to the drawings.

The Rejections:

The Examiner rejected Claims 1-4 and 7 under 35 U.S.C. 103(a) as being unpatentable over Jesswein ('299) in view of Hamlin ('779) and Mortimore ('756).

The Examiner rejected Claim 5 under 35 U.S.C. 103(a) as being unpatentable over Jesswein ('299), Hamlin ('779) and Mortimore ('756) and further in view of Butts ('203).

The Examiner rejected Claim 6 under 35 U.S.C. 103(a) as being unpatentable over Jesswein ('299), Hamlin ('779) and Mortimore ('756) and further in view of Rishovd ('183).

The Examiner rejected Claims 8-12 and 15 under 35 U.S.C. 103(a) as being unpatentable over Styles ('214) in view of West ('353), Hamlin ('779) and Mortimore ('756).

The Examiner rejected Claim 13 under 35 U.S.C. 103(a) as being unpatentable over Styles ('214), West ('353), Hamlin ('779) and Mortimore ('756) and further in view of Butts ('203).

The Examiner rejected Claim 14 under 35 U.S.C. 103(a) as being unpatentable over Styles ('214), West ('353), Hamlin ('779) and Mortimore ('756) and further in view of Rishovd ('183).

The Examiner rejected Claim 16 under 35 U.S.C. 103(a) as being unpatentable over Styles ('214), West ('353), Hamlin ('779) and Mortimore ('756) and further in view of Butts ('203) and Rishovd ('183).

Applicants' Response:

Applicants rewrote cancelled Claim 16 as new Claim 17 that defines a ground engaging base frame having:

a generally horizontally extending central beam with opposite ends,  
a pair of generally vertically extending intermediate beams each having a lower end attached to an associated one of said central beam ends and having an upper end,  
a pair of generally horizontally extending end beams each having an inner end attached to an associated one of said intermediate beam upper ends and having an outer end,  
a pair of spaced apart upwardly and rearwardly extending posts each having a lower end connected to said central beam and having an upper end,  
a pair of generally horizontally extending legs each having an inner end connected to said central beam adjacent one of said posts and having an outer end, said leg inner ends being spaced a first predetermined distance apart and said leg outer ends being spaced a second predetermined distance apart greater than said first predetermined distance;

The Examiner rejected Claim 16 under 35 U.S.C. 103(a) as being unpatentable over Styles ('214), West ('353), Hamlin ('779) and Mortimore ('756) and further in view of Butts ('203) and Rishovd ('183). The Examiner suggested that the central beam of the dolly 18 of Styles could be replaced by the West horizontally section of angle iron 86 having an associated one of a pair of vertical plates 36 fixedly attached at each end thereof an associated pair of horizontally extending channel members 34 being fixedly attached thereto with casters attached to the lower side of each of the channel members.

The substitution suggested by the Examiner does not result in the claimed base frame. The vertical plates 36 are not attached to the ends of the angle iron 86. The vertical plates 36 are attached to the side outer surfaces of the rectangular frame 24. The ends of the angle iron 86 are attached to the side inner surfaces of the frame 24 and are not even aligned with the vertical plates 36 as best seen in Fig. 3. Furthermore, Claim 17 defines the posts as extending upwardly and rearwardly. The Styles frame members 68 and 70 do not extend rearwardly.

Claim 17 defines "a pair of ground engaging roller assemblies with each said roller assembly being attached to an associated one of said leg outer ends". The Examiner cited Styles 000132817/0002/624524-1

as providing for ground engaging roller assemblies attached to the outer end of the legs. However, Styles states that the dolly 18 is fitted with "wheels or casters" (Column 4, Lines 16-17). None of the cited references shows or suggests rollers.

Claim 17 defines "a pair of handles each attached to an associated one of said post upper ends". The Examiner stated that the combination of Styles, West, Hamlin and Mortimore fails to provide handles attached to an upper end of each post. According to the Examiner, Rishovd discloses the vehicle jack with a main upright post that has a handle attached to either side near the top of the post.

Rishovd does not include a main upright post. The handles 78 are mounted on the cylinder 31 of the extensible portion 30 of the jack 10. While the handles 78 are closer to the top of the cylinder 31 than the bottom, they are not attached to the upper end of the cylinder as defined by Claim 17.

Claim 17 defines "a manually actuated hydraulic actuator having a lower end pivotally attached to said central beam". The Styles patent shows the lower end of the jack 76 attached to a mounting base 78 that pivots on an axle 80 mounted on the vertical frame members 68 and 70. Thus, the lower end of the jack 76 is not attached to the dolly 18 as defined by Claim 17.

New independent Claim 18 is similar to Claim 17 except that the features defined by dependent Claims 19-21 are omitted. The above arguments with respect to Claim 17 apply to Claims 18-21.

In view of the amendments to the claims and the above arguments, Applicants believe that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.